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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,829	06/25/2003	Masato Oshina	W0200.0128/P128	9868

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DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
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EXAMINER

CHENEVERT, PAUL A

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/602,829

Applicant(s)

OSHINA ET AL.

Examiner

Paul A. Chenevert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:
  - a. Page 5, paragraph 4, line 7, “item” should be re-inserted before “tightly”.
  - b. Page 12, paragraph 1, lines 5 & 8, “of the” should be deleted.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 2, & 5 are **still** rejected under 35 U.S.C. 102(b) as being clearly anticipated by Watanabe et al.

Watanabe et al. disclose a module structure comprising: attachment members (contractible member 16) formed on an accessory (assist grip 10); wherein said attachment members are **capable of being temporarily accommodated in a** bracket (energy absorbent member 38) provided on the back side of a roof trim (ceiling base member 30) and then inserted into attachment holes (36) in a roof panel (vehicle body 34); and wherein an inserted body (lock pin 20) is inserted into the attachment member.

*Claim Rejections - 35 USC § 103*

4. Claims 3 & 4 are **still** rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Nagamoto.

Watanabe et al. disclose a module structure as described above. The attachment members are secured to the bracket in a sub-attaching position by securing structure (large-width portion 26B presses the ceiling base member 30 towards small-width portion 28B). In regards to claim 4, the inserted body forces another securing structure (large-width portion 26A presses the vehicle body 34 towards small-width portion 28A) on the attachment members to fix the bracket, attachment members, and accessories in a secured position.

However, Watanabe et al. do not expressly disclose that the securing structure includes claws and grooves.

Nagamoto discloses a module structure comprising: attachment members (grommet 55); wherein said attachment member is connected into a bracket (recessed portion 46) and having claws (periphery of bottom hole 47) resting in grooves (first sector projection 74) and then inserted into attachment holes (through hole 97); and wherein an inserted body (press-fit pin 57) is inserted into the attachment member. In regards to claim 4, the inserted body forces another securing structure (second projection 75) on the attachment members to fix the bracket, attachment members, and accessories in a secured position.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the module structure of Watanabe et al., to employ claws engaging grooves, as taught by Nagamoto.

The suggestion/motivation for doing so would have been to more reliably secure the attachment member to the bracket, as is desired in this vehicle invention.

Therefore, it would have been a desirable and thus a prima facie obvious modification of the module structure by combining claws on the bracket with grooves on the attachment member to obtain the invention as specified in claim 3, as taught by the prior references' motivation, and not hindsight from the applicants disclosure.

### ***Response to Arguments***

5. Applicant's arguments filed 24SEP04 have been fully considered but they are not persuasive. Applicant argues on page 12 of the Amendment that "no where does Watanabe disclose the contractible member being temporarily accommodated in the bracket (or Watanabe's energy absorbent member 38); nor does Watanabe disclose the contractible member 16 inserted into the roof panel, thereby engaging connecting portions with the attachment holes of the roof panel after being temporarily secured." Examiner now counter-argues that the Watanabe reference does indeed teach a contractible member that is capable of being temporarily accommodated in a bracket. A handrail installer pushes the contractible member partially into an assist grip. The installer then pushes the assist grip into an energy absorbent member provided on the back side of a ceiling base member and then into attachment holes in a roof panel of the vehicle body. Then the contractible member is further inserted into the assist grip to lock the assist grip to the roof panel. If desired, the contractible member could be removed, either by prying out or by drilling out, and therefor the contractible member is capable of being temporarily accommodated in the bracket. If the contractible member was pried out of the

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bracket, then it is capable of being re-inserted back into the bracket. If the contractible member was drilled out of the bracket, then a new contractible member would be required to re-insert into the bracket.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul A. Chenevert whose telephone number is 703-305-0837. The examiner can normally be reached on Mon-Fri (8:30-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn D. Dayoan can be reached on 703-308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul A. Chenevert  
Examiner  
Art Unit 3612

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10/17/04  
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SUPERVISORY PATENT EXAMINER  
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